

## **ARTICLE 10**

### **ACCESSORY USES, ACCESSORY SERVICE USES AND HOME OCCUPATIONS**

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## FAIRFAX COUNTY ZONING ORDINANCE

## **ARTICLE 10**

### **ACCESSORY USES, ACCESSORY SERVICE USES AND HOME OCCUPATIONS**

#### **PART 1      10-100   ACCESSORY USES AND STRUCTURES**

##### **10-101      Authorization**

Accessory uses and structures are permitted in any zoning district, unless qualified below, but only in connection with, incidental to, and on the same lot with a principal use or structure which is permitted within such district.

##### **10-102      Permitted Accessory Uses**

Accessory uses and structures shall include, but are not limited to, the following uses and structures; provided that such use or structure shall be in accordance with the definition of Accessory Use contained in Article 20.

1. Amusement machines, but only accessory to eating establishments, motels, hotels, bowling alleys, skating facilities, and establishments for billiards, ping pong, indoor archery, and other indoor games of skill, and retail sales establishments with greater than 5000 square feet of floor area open to the general public.
2. Antenna structures.
3. Barns and any other structures that are customarily incidental to an agricultural use, but only in the R-A through R-1 Districts on a tract of land not less than five (5) acres; provided, however, a stable or other structure for livestock or domestic fowl may be permitted on a lot of less than five (5) acres where such livestock or domestic fowl are kept in accordance with the provisions of Sect. 2-512 or Sect. 8-917. In no instance shall such structures be used for retail sales except as may be permitted for a plant nursery by the provisions of Part 5 of Article 9.
4. Carports.
5. Child's playhouse, not to exceed 100 square feet in gross floor area, and child's play equipment.
6. Doghouses, runs, pens, rabbit hutches, cages, and other similar structures for the housing of commonly accepted pets, but not including kennels as defined in Article 20.
7. Fallout shelters.
8. Garages, private.
9. Garage and yard sales, in R districts, shall be permitted not more than twice in any one calendar year and shall be limited to items not specifically purchased for resale.

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10. Gardening and composting.
11. Guest house or rooms for guests in an accessory structure, but only in the R-A through R-E Districts, and provided such house is without kitchen facilities and is used for the occasional housing of guests of the occupants of the principal structure, and not as rental units or for permanent occupancy as housekeeping units.
12. Home child care facilities.
13. Inoperative motor vehicles, as defined in Chapter 110 of The Code, provided such vehicles are kept within a fully enclosed building or structure or are kept completely screened or shielded from view in accordance with Chapter 110 of The Code.
14. Motor vehicle fuel storage tanks in the C and I districts and in R districts when accessory to a use other than a dwelling.
15. Parking and loading spaces, off-street, as regulated by Article 11.
16. Parking of one (1) commercial vehicle per dwelling unit in an R district subject to the following limitations:
  - A. No solid waste collection vehicle, tractor and/or trailer of a tractor-trailer truck, dump truck, construction equipment, cement-mixer truck, wrecker with a gross weight of 12,000 pounds or more, or similar such vehicles or equipment shall be parked in any R district.
  - B. Any commercial vehicle parked in an R district shall be owned and/or operated only by the occupant of the dwelling unit at which it is parked.
17. Porches, gazebos, belvederes and similar structures.
18. Quarters of a caretaker, watchman or tenant farmer, and his family, but only in the R-A through R-E Districts on a parcel of twenty (20) acres or more.
19. Recreation, storage and service structures in a mobile home park.
20. Residence for a proprietor or storekeeper and his/her family located in the same building as his/her place of occupation and a residence for an employee and his/her family located within the same building as a funeral home or chapel.
21. Servants quarters, but only in the R-A through R-4 Districts on a lot of two (2) acres or more. Servants quarters located in a structure detached from the principal dwelling shall comply with the applicable zoning district bulk regulations for single family dwellings.
22. Signs, as permitted by Article 12.
23. Statues, arbors, trellises, clotheslines, barbeque stoves, flagpoles, fences, walls and hedges, gates and gateposts, and basketball standards to include rim, net and backboard.

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24. Storage, outdoor, in R districts, provided such storage is located on the rear half of the lot, is screened from the view from the first story window of any neighboring dwelling, and the total area for such outdoor storage does not occupy more than 100 square feet. In C or I districts, where permitted by zoning district regulations and Sect. 2-504, outdoor storage, junk, scrap and refuse piles shall be limited to that area designated on an approved site plan, except that 250 square feet of accessory outdoor storage and display in accordance with Sect. 17-104 may be permitted without site plan approval.
25. Storage structure, incidental to a permitted use, provided no such structure that is accessory to a single family detached or attached dwelling in the R-2 through R-20 Districts shall exceed 200 square feet in gross floor area.
26. Swimming pool and bathhouse, private.
27. Tennis, basketball or volleyball court, and other similar private outdoor recreation uses.
28. Wayside stands, but subject to the following limitations:
  - A. Shall be permitted only in the R-A through R-4 Districts, on a lot containing at least two (2) acres.
  - B. Structures shall not exceed 400 square feet in gross floor area.
  - C. Shall be permitted only during crop-growing season, and such structures shall be removed except during such season.
  - D. Shall be for the expressed purpose of sale of agricultural products grown on the same property, or the sale of products of approved home occupations conducted on the same property. For the purpose of this Ordinance, plants which are balled, burlapped and bedded shall not be considered as growing on the same property.
  - E. Shall not be subject to the location requirements set forth in Sect. 104 below, but shall be located a minimum distance of twenty-five (25) feet from any lot line.
  - F. Shall be located so as to provide for adequate off-street parking spaces and safe ingress and egress to the adjacent street.
  - G. Notwithstanding the provisions of Article 12, a wayside stand may have one (1) building-mounted sign, mounted flush against the stand, which does not exceed ten (10) square feet in area.
29. The keeping of animals in accordance with the provisions of Sect. 2-512.

### 10-103

#### Use Limitations

1. No accessory structure shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.

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2. All accessory uses and structures shall comply with the use limitations applicable in the zoning district in which located.
3. All uses and structures accessory to single family detached dwellings, to include those extensions permitted by Sect. 2-412, shall cover no more than thirty (30) percent of the area of the minimum required rear yard.
4. All accessory uses and structures shall comply with the maximum height regulations applicable in the zoning district in which they are located, except as may be qualified by Sect. 2-506.
5. The following use limitations shall apply to fences:
  - A. Barbed wire fences are prohibited in all zoning districts except on lots exceeding two (2) acres or more in size in the R-A through R-1 Districts. Barbed wire strands may be used to enclose storage areas, other similar industrial or commercial uses or swimming pools where the strands are restricted to the uppermost portion of the fence and do not extend lower than a height of six (6) feet from the nearest ground level.
  - B. It shall be unlawful for any person to construct, install, maintain, or allow or cause to be constructed, installed, or maintained, an electric fence upon any lot of two (2) acres or less in area, located within a subdivision as defined in Chapter 101 of The Code, The Subdivision Ordinance.
6. The following use limitations shall apply to home child care facilities:
  - A. The maximum number of children permitted at any one time shall be as follows:
    - (1) Seven (7) when such facility is located in a single family detached dwelling.
    - (2) Five (5) when such facility is located in a single family attached, multiple family or mobile home dwelling.

The maximum number of children specified above shall not include the provider's own children.
  - B. A home child care facility shall be operated by the licensed or permitted home child care provider within the dwelling that is the primary residence of such provider, and except for emergency situations, such provider shall be on the premises while the home child care facility is in operation.
  - C. There shall be no exterior evidence, including signs, that the property is used in any way other than as a dwelling, except that play equipment and other accessory uses and structures permitted by this Part shall be allowed.
  - D. In addition to the persons who use the dwelling as their primary residence, one (1) nonresident person, whether paid or not for their services, may be involved in the home child care use on the property, provided that there is only one (1) such person

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on the property at any one time and the hours of such attendance shall be limited to 7:00 AM to 6:00 PM, Monday through Friday.

- E. Notwithstanding the provisions of Par. B above, a child care provider may care for the maximum number of children permitted in Par. A above in a dwelling other than the provider's own, as long as the dwelling is the primary residence of at least one of the children being cared for by the provider. Such child care provider shall comprise the one nonresident person allowed under Par. D above.
- F. All such uses shall be subject to the regulations of Chapter 30 of The Code or Sect. 63.1-196 of the Code of Virginia.
- G. An increase in the number of children permitted under Par. A above or the involvement of more than one nonresident person as permitted under Par. D above may be permitted in accordance with the provisions of Part 3 of Article 8.

### **10-104 Location Regulations**

- 1. If an accessory-type building is attached to a principal building by any wall or roof construction, it shall be deemed to be a part of the principal building and shall comply in all respects with the requirements of this Ordinance applicable to a principal building, except as qualified in Sect. 2-412.
- 2. The required minimum yards referenced in this Section shall refer to the minimum yards in the applicable zoning district for the principal building(s) with which the accessory-type building is associated.
- 3. Except as may be qualified by Sect. 2-505, a fence or wall may be located as follows. Such regulations shall not be deemed to negate the screening requirements of Article 13.
  - A. In any yard on any lot containing not less than two (2) acres located in the R-A through R-1 Districts, a fence or wall not exceeding seven (7) feet in height is permitted.
  - B. In any front yard on any lot, a fence or wall not exceeding four (4) feet in height is permitted. However, in that portion of a front yard on a residential corner lot that abuts a major thoroughfare, a solid wood or masonry fence or wall not exceeding eight (8) feet in height, located flush to the ground, may be permitted, provided that:
    - (1) the driveway entrance to the lot is from a street other than the major thoroughfare and the principal entrance of the dwelling faces a street other than the major thoroughfare, and
    - (2) the lot is not contiguous to a lot which has its only driveway entrance from the major thoroughfare or service drive adjacent to the major thoroughfare.

The fence shall not extend into the front yard between the dwelling and the street other than the major thoroughfare and shall also be subject to the provisions of Sect. 2-505.

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- C. In any side or rear yard on any lot, a fence or wall not exceeding seven (7) feet in height is permitted. However, a solid wood or masonry fence or wall not exceeding eight (8) feet in height, located flush to the ground, is permitted:
  - (1) In any side or rear yard of a reverse frontage lot; or
  - (2) For that portion of a side or rear yard of a residential lot where the side or rear lot line is within 150 feet of a major thoroughfare and abuts common or dedicated open space, where such open space is located between the lot line and the major thoroughfare.
- D. In any yard of an industrial use permitted by the provisions of this Ordinance, a fence or wall not exceeding eight (8) feet in height is permitted.
- E. Notwithstanding the above provisions, a fence or wall which is an integral part of any accessory use such as a tennis court or swimming pool shall be subject to the location regulations of Par. 12 below.
- F. In addition, for noise barriers which reduce adverse impacts of highway noise on properties located adjacent to major thoroughfares, or which reduce noise impacts of commercial and industrial uses on adjacent properties, an increase in height and/or modification to the corresponding location regulations set forth above may be permitted with approval of a special permit by the Board of Zoning Appeals in accordance with Part 9 of Article 8, or by the Board of Supervisors in conjunction with the approval of a proffered rezoning or a special exception in accordance with the following:
  - (1) A noise impact study shall be submitted with the application. The study shall demonstrate the need for such a barrier and the level of mitigation to be achieved, and shall include the height of the barrier, the proposed location of the barrier on the property, the acoustical design and structural features of the barrier, the type of building materials to be used in construction of the barrier and the proposed measures to mitigate any visual impacts of the barrier on adjacent property, to include the location and design of the barrier, use of berming and landscaping.
  - (2) The Board shall determine that the proposed height and location of the noise barrier are necessary in order to achieve mitigation of the noise and that the noise barrier will not adversely impact the use or development of surrounding properties.
  - (3) Before establishment, the noise barrier shall be subject to the provisions of Article 17, Site Plans or other appropriate submission as determined by the Director.
- G. Notwithstanding the above, a fence or wall which is to be provided in conjunction with a public use may be of such height and location as approved by the Board.



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4. Trellises, gates and gate posts may be located within any required minimum front yard as follows:
  - A. Two (2) trellises, not to exceed eight (8) feet in height nor four (4) feet in width.
  - B. Four (4) gate posts without limit as to height or width.
  - C. Two (2) gates not to exceed eight (8) feet in height.
  - D. Gates and gate posts exceeding four (4) feet in height shall not exceed in maximum width fifteen (15) percent of the lot width.
5. Ground-supported antenna structures for the operation of personal or amateur radio facilities under Parts 95 and 97 of the Federal Communications Commission regulations may be permitted in any R district as follows:
  - A. Structures seventy-five (75) feet or less in height shall not be located closer to any lot line than a distance equal to one-fifth (1/5) of their height.
  - B. Structures greater than seventy-five (75) feet in height shall not be located closer to any lot line than a distance equal to their height.
6. Off-street parking and loading spaces shall be located in accordance with the provisions of Article 11.
7. Signs shall be located in accordance with the provisions of Article 12.
8. Wayside stands shall be located in accordance with the provisions of Par. 28 of Sect. 102 above.
9. The following regulations shall apply to the location of structures for the housing of animals:
  - A. Barns and other structures used in connection with agriculture, to include structures for the keeping, confining or sheltering of any poultry or livestock, except horses and ponies, shall be located no closer than 100 feet to any lot line. Additional provisions governing the location of hog pens are set forth in Chapter 41 of The Code.
  - B. Barns and other structures used for the confining or sheltering of livestock and domestic fowl, as permitted by the provisions of Sect. 2-512, shall be located no closer than fifty (50) feet to any lot line; provided, however, that any such structure used for the confining or sheltering of horses and ponies as permitted by Sect. 2-512 or in connection with agriculture shall be located no closer than forty (40) feet to any front or side lot line nor closer than twenty (20) feet to a rear lot line.
  - C. Cages, lofts, hives, pens and other structures which are seven (7) feet or less in height and which are used for the keeping of homing, racing, or exhibition (fancy) pigeons or honeybees shall be located no closer than three (3) feet to any lot line. Any such structure which exceeds seven (7) feet in height shall be located in accordance with the provisions set forth in Par. 12 below.

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- D. Doghouses, runs, pens, rabbit hutches, cages and other similar structures for the housing of dogs and other commonly accepted pets shall be located in accordance with the provisions set forth in Par. 12 below, except in no instance shall a structure, run or pen for three (3) or more dogs be located closer than twenty-five (25) feet to any lot line.

The BZA may approve a modification to the location regulations set forth in this Paragraph in accordance with the provisions of Part 9 of Article 8.

- 10. The following regulations shall apply to the location of freestanding accessory storage structures:
  - A. For purposes of determining height, the height of an accessory storage structure shall be measured from the highest point of the structure.
  - B. An accessory storage structure shall not be located (a) in any minimum required front yard on any lot or (b) in any front yard on any lot containing 36,000 square feet or less.
  - C. An accessory storage structure which does not exceed eight and one-half (8 ½) feet in height may be located in any part of any side yard or rear yard, except as qualified in Sect. 2-505.
  - D. An accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located in any part of any minimum required side yard.
  - E. An accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line.
  - F. On a corner lot, the rear lot line of which adjoins a side lot line of a lot to the rear, an accessory storage structure which exceeds eight and one-half (8 ½) feet in height shall not be located:
    - (1) Nearer to any part of the rear lot line that adjoins the side yard on the lot to the rear than a distance equal to the minimum required side yard on such lot to the rear, or
    - (2) Nearer to the side street line than a distance equal to the minimum required front yard on the lot to the rear.
- 11. Solid waste and recycling storage containers may be located in any yard, provided that any container located in a minimum front yard shall be located no closer than fifteen (15) feet to a front lot line and shall be screened from view from the abutting street by either plantings or solid fencing. Notwithstanding the provisions of Par. 3 above, the maximum height of such solid fencing shall not exceed one (1) foot above the solid waste and recycling storage

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containers. In addition, no containers shall be located in any required parking space, driveway, parking aisle, open space or landscaped area.

12. The following regulations shall apply to the location of all freestanding structures or uses except those specifically set forth in other paragraphs of this Section:
  - A. For purposes of determining height, the height of an accessory structure shall be measured from the highest point of the structure.
  - B. An accessory structure or use, which does not exceed seven (7) feet in height, may be located in any part of any side or rear yard, except as qualified in Sect. 2-505.
  - C. No accessory structure or use, except a statue, basketball standard or flagpole, shall be located (a) in any minimum required front yard on any lot or (b) in any front yard on any lot containing 36,000 square feet or less. When located in a front yard, basketball standards shall not be located closer than fifteen (15) feet to a front lot line or twelve (12) feet to a side lot line, and shall not be used between the hours of 8:00 PM and 8:00 AM.
  - D. No accessory structure or use which exceeds seven (7) feet in height shall be located in any minimum required side yard.
  - E. No accessory structure or use which exceeds seven (7) feet in height shall be located closer than a distance equal to its height to the rear lot line or located closer than a distance equal to the minimum required side yard to the side lot line.
  - F. On a corner lot, the rear lot line of which adjoins a side lot line of a lot to the rear, no accessory structure or use which exceeds seven (7) feet in height shall be located:
    - (1) Nearer to any part of the rear lot line that adjoins the side yard on the lot to the rear than a distance equal to the minimum required side yard on such lot to the rear, or
    - (2) Nearer to the side street line than a distance equal to the minimum required front yard on the lot to the rear.
13. Except as may be qualified by Sect. 2-505, conventional television antennas and satellite dish antennas designed to receive television or video programming with a diameter or diagonal measurement of 39 inches (one meter) or less shall be permitted in any yard on any lot.
14. Except for lighting fixtures mounted on poles that are associated with outdoor recreation/sports facilities playing fields/courts and as noted below, the mounting height of lighting fixtures on light poles shall not exceed a maximum height of forty (40) feet as measured from the ground level or the surface on which the light pole is mounted to the bottom of the lighting fixture. Light poles mounted on the top of parking decks or parking structures shall not exceed a maximum height of twenty (20) feet as measured from the top of the pole to the surface on which the pole is mounted. Light poles shall be located in accordance with the following:

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- A. On lots developed with single family dwellings:
  - (1) Light poles that are no greater than seven (7) feet in height may be located in any yard;
  - (2) Light poles that exceed seven (7) feet in height shall be subject to the location regulations of Paragraphs 12C, 12D, 12E and 12F above.
- B. On all other lots:
  - (1) Light poles that do not exceed seven (7) feet in height may be located in any yard;
  - (2) Light poles greater than seven (7) feet in height shall be subject to the minimum yard requirements, with the exception of angle of bulk plane, of the zoning district in which located.

The above locational provisions shall not be applicable to parking lot light poles, which may be located in any yard. All light poles, to include parking lot light poles, shall be subject to the provisions of Part 9 of Article 14.

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### **PART 2      10-200   ACCESSORY SERVICE USES**

#### **10-201      Authorization**

Accessory service uses, as defined in Article 20, are permitted in connection with certain principal uses as set forth below when expressly authorized in the zoning district regulations.

#### **10-202      Permitted Accessory Service Uses**

Accessory service uses shall include, but are not limited to, the following uses; provided that such use shall be in accordance with the definition of Accessory Service Use contained in Article 20.

1.      Accessory to a principal use of multiple family dwellings in the R-12, R-16, R-20, R-30 and in the PDH, PDC and PRC Districts when such dwelling or dwelling complex has a minimum of 250 dwelling units:
  - A.      Eating establishments.
  - B.      Child care centers.
  - C.      Garment cleaning establishments.
  - D.      Personal service establishments.
  - E.      Quick-service food stores.
  - F.      Retail sales establishments selling convenience merchandise.
2.      Accessory to a principal use of offices, industrial establishments, or institutional buildings in the C-1, C-2, C-3, C-4, I-1, I-2, I-3, I-4, I-5 and I-6 Districts:
  - A.      Business service and supply service establishments.
  - B.      Child care centers.
  - C.      Eating establishments.
  - D.      Garment cleaning establishments.
  - E.      Health clubs, spas, sauna and steam baths, swimming pools, tennis courts and other such similar facilities.
  - F.      Personal service establishments.
  - G.      Prescription establishments and the selling of pharmaceutical supplies.
  - H.      Quick-service food stores, limited to the C-3, C-4 and I-4 Districts.

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- I. A dwelling unit for a watchman, custodian, proprietor or owner and his/her family whose employment or business is directly related to the principal use.
  - J. Repair service establishments.
  - K. Retail sales establishments selling convenience merchandise.
3. Accessory to a principal use of offices or industrial establishments in the I-5 and I-6 Districts, in addition to the uses set forth in Par. 2 above:
- A. Drive-in banks.
  - B. Fast food restaurants.
  - C. Quick-service food stores.

### **10-203 Use Limitations**

In addition to the use limitations applicable in the zoning district in which located, all accessory service uses shall be subject to the following use limitations:

- 1. Accessory service uses shall be oriented to cater primarily to the residents or employees of the principal use with which they are associated.
- 2. With the exception of those uses set forth in Par. 3 and 4 below, all accessory service uses shall be located in the same building as the principal use.
- 3. Accessory service uses in the C-4 District may be located in a freestanding building separate from the principal use, and an eating establishment in the I-1 through I-5 Districts may also be located in a freestanding building; but such freestanding buildings shall be allowed only in those locations shown on an approved development plan or site plan for an office facility or industrial park.

Those accessory service uses set forth in Par. 2D of Sect. 202 above, which by their nature must be conducted outside a building, shall be located on the same lot as the principal use.
- 4. Drive-in banks, fast food restaurants and quick-service food stores in the I-5 and I-6 Districts may be located in a freestanding building; provided, however, that such uses shall not have frontage or direct access to a street defined in the adopted comprehensive plan as a major or minor arterial, and such uses shall be an integral design element of a site plan for an industrial building or building complex containing not less than 30,000 square feet of gross floor area.
- 5. The aggregate gross floor area of all accessory service uses shall not exceed fifteen (15) percent of the total gross floor area of the multiple family dwelling development, office or industrial building or park, as shown on a site plan.
- 6. No accessory service use shall be located above the second floor of the building in which located, with the exception of:

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- A. The residence of a proprietor or owner, which may be located on any floor.
- B. An eating establishment which may be located in a rooftop penthouse.
- 7. Signs for accessory service uses shall be regulated by the provisions of Article 12.
- 8. For child care centers that are accessory to a principal use of multiple family dwellings, the following use limitations shall apply:
  - A. The child care center may be located within common areas of the building or development such as party rooms or club houses, but in no event shall the use be located within individual dwelling units.
  - B. Enrollment shall be limited to children who live in the building or complex where the child care center is located. The maximum daily enrollment shall not exceed 99 children.
  - C. In addition to the usable outdoor recreation space requirements of Chapter 30 of The Code or usable outdoor recreation space requirements promulgated pursuant to Title 63.1, Chapter 10 of the Code of Virginia, whichever is applicable, usable outdoor recreation space shall be limited to:
    - (1) That area not covered by buildings or required off-street parking spaces.
    - (2) That area outside the limits of the minimum required front yard.
    - (3) Only that area which is developable for active outdoor recreation purposes.
  - D. Such use shall be subject to the regulations of Chapter 30 of The Code or Title 63.1, Chapter 10 of the Code of Virginia.



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### **PART 3      10-300 HOME OCCUPATIONS**

#### **10-301      Authorization**

Home occupations are permitted in any dwelling unit subject to the approval by the Zoning Administrator and the following provisions.

#### **10-302      Permitted Home Occupations**

Home occupations include, but are not necessarily limited to, the following:

1. Artists and sculptors.
2. Authors and composers.
3. Dressmakers, seamstresses and tailors.
4. Home crafts, such as model making, rug weaving, lapidary work, and ceramics.
5. Office facilities, other than home professional offices as defined in Article 20.
6. Schools of special education whose class size does not exceed more than four (4) pupils at any given time and not more than eight (8) pupils in any one day.
7. The letting for hire of not more than two (2) rooms for rooming or boarding use for not more than two (2) persons, neither of whom is a transient.

#### **10-303      Home Occupations Not Permitted**

Permitted home occupations shall not in any event be deemed to include the following:

1. Antique shops.
2. Barbershops or beauty parlors.
3. Eating establishments.
4. Gift shops.
5. Repair service or personal service establishments, except as may be permitted by Sect. 302 above.
6. Riding or boarding stables or kennels.
7. Veterinary hospitals.

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### **10-304 Use Limitations**

In addition to the use limitations applicable in the zoning district in which located, all home occupations shall be subject to the following use limitations:

1. A home occupation must be conducted by the home occupation permit applicant within the dwelling which is the primary residence of the applicant or in an accessory building thereto which is normally associated with a residential use and shall be clearly subordinate to the principal use of the lot as a dwelling.
2. Except for articles produced on the premises, no stock in trade shall be stored, displayed or sold on the premises.
3. There shall be no exterior evidence that the property is used in any way other than for a dwelling.
4. No mechanical or electrical equipment shall be employed other than machinery or equipment customarily found in the home, associated with a hobby or avocation not conducted for gain or profit, or customary for a small office.
5. No outside display or storage of goods, equipment or materials used in connection with the home occupation shall be permitted.
6. The home occupation permit applicant and other persons who use the dwelling as their primary residence may be involved in the home occupation use. In addition, one (1) nonresident person, whether paid or not for their services, may be involved in the home occupation use on the property provided that there is only one (1) such person on the property and the hours of such attendance shall be limited to 8:00 AM to 5:00 PM, Monday through Friday.
7. Only one commercial vehicle shall be permitted per dwelling unit, subject to the provisions of Sect. 102 above.
8. The dwelling in which the home occupation is being conducted shall be open for inspection to County personnel during reasonable hours.
9. A permit for a home occupation is valid for only the original applicant and is not transferable to any resident, address or any other occupation. Upon termination of the applicant's residency, the home occupation permit shall become null and void.
10. No sign shall be permitted.
11. There shall be no customers or clients.

### **10-305 Revocation of a Home Occupation Permit**

A permit for a home occupation shall be revocable by the Zoning Administrator because of the failure of the owner or operator of the use covered by the permit to observe all requirements of the permit and the Zoning Ordinance.